

SENATE No. 2330

The Commonwealth of Massachusetts

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In the Year Two Thousand Fourteen
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SENATE, Wednesday, July 30, 2014

The committee on Ethics and Rules, to whom was referred the Senate Bill eliminating archaic language pertaining to individuals with disabilities in the Commonwealth of Massachusetts (Senate, No. 55),- reports, recommending that the same ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2330).

For the committee,
Stanley C. Rosenberg

SENATE No. 2330

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In the Year Two Thousand Fourteen

An Act eliminating archaic language pertaining to individuals with disabilities in the Commonwealth of Massachusetts.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 32 of chapter 22C of the General Laws, as appearing in the 2012
2 Official Edition, is hereby amended by striking out, in line 12, the word “handicap” and inserting
3 in place thereof the following words:- disability, age.

4 SECTION 2. The definition of “handicap” in section 1 of chapter 31 of the General
5 Laws, as so appearing, is hereby amended by striking out, in line 76, the word “impairment” and
6 inserting in place thereof the following words:- impairment; provided, however, that the
7 term “handicap” shall have the same meaning as the term "disability".

8 SECTION 3. Section 1 of chapter 31A of the General Laws, as so appearing, is hereby
9 amended by striking out, in line 22, the word “handicap” and inserting in place thereof the
10 following word:- disability.

11 SECTION 4. Section 2 of said chapter 31A, as so appearing, is hereby amended by
12 inserting after the definition of “department” the following definition:-

13 "Disability", a physical or mental impairment that substantially limits 1 or more major
14 life activities without regard to the ameliorative effects of mitigating measures, which do not
15 include ordinary eyeglasses or contact lenses.

16 SECTION 5. Said section 2 of said chapter 31A, as so appearing, is hereby further
17 amended by inserting after the definition of "local merit appeals board" the following definition:-

18 "Major life activities", shall include, but not be limited to, caring for oneself, performing
19 manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking,
20 breathing, learning, reading, concentrating, thinking, communicating and working; provided,
21 however, that "major life activities" shall also include the meaning of "major bodily functions"
22 which include, but are not limited to, functions of the immune system, normal cell growth,
23 digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and
24 reproductive functions.

25 SECTION 6. Section 23 of chapter 32 of the General Laws, as so appearing, is hereby
26 amended by striking out, in lines 399 and 400, the words "physical handicap" and inserting in
27 place thereof the following word:- disability.

28 SECTION 7. Section 4 of chapter 92B of the General Laws, as so appearing, is hereby
29 amended by striking out, in line 26, the words "physical handicap" and inserting in place thereof
30 the following word:- disability.

31 SECTION 8. Section 103 of chapter 93 of the General Laws, as so appearing, is hereby
32 amended by striking out, in line 2, the word "handicap" and inserting in place thereof the
33 following word:- disability.

34 SECTION 9. Section 24E of chapter 111 of the General Laws, as so appearing, is hereby
35 amended by striking out, in line 8, the word “handicap” and inserting in place thereof the
36 following word:- disability.

37 SECTION 10. Section 5 of chapter 161A of the General Laws, as so appearing, is hereby
38 amended by striking out, in line 11, the word “handicap” and inserting in place thereof the
39 following word:- disability.

40 SECTION 11 Section 25 of said chapter 161A, as so appearing, is hereby amended by
41 striking out, in line 21, the words “handicapping condition” and inserting in place thereof the
42 following word:- disability.

43 SECTION 12. Section 5B of chapter 260 of the General Laws, as so appearing, is hereby
44 amended by striking out, in line 4, the word “handicap” and insert in place thereof the following
45 word:- disability.